

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
DEL RIO DIVISION**

United States of America,

Plaintiff,

vs.

Abdul Wasi Safi,

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Cause No. DR-22-M-2418 (1) CW

ORDER OF DETENTION PENDING TRIAL

In accordance with the *Bail Reform Act of 1984*, 18 U.S.C. § 3142(f), a detention hearing was held on October 14, 2022. A preliminary examination was waived. Thus, the Court must conclude that there is probable cause to believe Defendant committed the crime of which he is accused. The Court also concludes that the following facts require the detention of Defendant pending trial in this case.

**I.
Finding of Fact**

Credible information in the form of testimony of United States Border Patrol Agent Dalton Reinke of the Prosecutions Unit establishes that Defendant was found in the Western District of Texas on September 30, 2022, after entering the United States at a time and place other than one designated by the Secretary of the Department of Homeland Security, *i.e.*, a port of entry, and that he did not appropriately report himself or his belongings to inspectors at the port as required.

Agent Reinke made an in-court identification of Defendant.

II. **DETENTION**

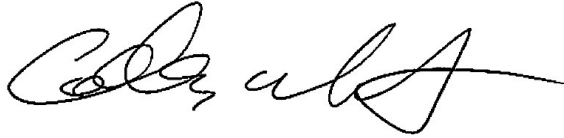
Defendant is not disqualified from getting a bond simply because he is a deportable alien, nor due to the nature of the charge. Regardless, the Court finds that Defendant is at risk of nonappearance and should be detained without bond. Defendant is a citizen of another country and currently has a detainer in place. He is at great risk of losing any purported or future legal status in the United States should he be convicted of the instant offense. The Court also finds that the Defendant could be immediately deported if released on bond. Therefore, the Court holds by a preponderance of the evidence that no condition or combination of conditions will reasonably assure the Defendant's appearance should he be released.

Accordingly, the Court hereby **ORDERS** that Defendant be **DETAINED** without bond.

III. **Direction Regarding Detention**

Defendant is committed to the custody of the Attorney General or his designated representative for confinement in a corrections facility separate, to the extent practical, from persons awaiting or serving sentences or being held in custody pending appeal. Defendant shall be afforded a reasonable opportunity for private consultation with defense counsel. On order of any Court of the United States or on request of an attorney for the Government, the person in charge of the corrections facility shall deliver the Defendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding.

SIGNED and **ENTERED** on October 14, 2022.

A handwritten signature in black ink, appearing to read 'Collis White', written in a cursive style.

COLLIS WHITE
UNITED STATES MAGISTRATE JUDGE